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Attorneys for Defendant  
UNIVERSAL UNDERWRITERS  
INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BOB LEWIS VOLKSWAGEN,

Plaintiff,

vs.

UNIVERSAL UNDERWRITERS GROUP,  
UNIVERSAL UNDERWRITERS  
INSURANCE COMPANY, DOES 1 through  
50, inclusive,

Defendants.

No. C 06 07332 RMW

STIPULATION REGARDING HEARING  
DATE AND ~~PROPOSED~~ ORDER

The parties, by and through their respective counsel of record, hereby stipulate and agree as follows and respectfully request that the Court approve and give effect to their stipulation:

WHEREAS the parties have reached a settlement in this case and are currently drafting the settlement and release agreement;

WHEREAS Universal's Motion for Summary Judgment on Bob Lewis's bad faith claim is currently scheduled for hearing on December 5, 2008; and

WHEREAS Universal's Motion for Summary Judgment is moot in view of the parties' settlement and the parties propose to withdraw the motion in the interests of judicial economy;

IT IS HEREBY STIPULATED AND AGREED that Universal's Motion for Summary Judgment is hereby withdrawn and the December 5, 2008 hearing date should be vacated.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: December 3, 2008

WILLOUGHBY, STUART & BENING

  
BRADLEY BENING

Attorney for Plaintiff  
BOB LEWIS VOLKSWAGEN

Dated: December 3, 2008

SONNENSCHN NATH & ROSENTHAL LLP

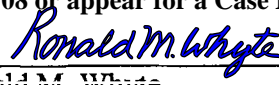
  
MICHAEL BARNES

Attorneys for Defendant  
UNIVERSAL UNDERWRITERS INSURANCE  
COMPANY

IT IS SO ORDERED.

DATED: 12/4/08, 2008

The parties are shall file a dismissal with the Court by 12/15/08 or appear for a Case Management Conference on December 19, 2008 @ 10:30 a.m. (rmw)

  
Ronald M. Whyte  
UNITED STATES DISTRICT JUDGE